

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

JUSTIN HAITHCOCK AS)	
PERSONAL REPRESENTATIVE)	
OF THE ESTATE OF KAREN)	
D. HAITHCOCK,)	
)	CIVIL ACTION NO. 0:04-22981-DCN-BM
Plaintiff,)	
)	
v.)	
)	ORDER
JO ANNE B. BARNHART)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
Defendant.)	
)	

This is a Social Security case filed by the Plaintiff on November 15, 2004, pursuant to 42 U.S.C. § 405(g). Defendant filed an Answer on March 4, 2005. Pursuant to Local Rule 83.VII.04, D.S.C., the Plaintiff may file a written brief within thirty (30) days of the filing of Defendant's Answer. The Plaintiff has elected not to file a brief within the requisite period.¹

Pursuant to Local Rule 83.VII.05, D.S.C., the Commissioner is allowed forty (40) days following the filing of a brief by the Plaintiff to file its own brief in support of the Commissioner's decision. As Plaintiff has elected not to file a supporting brief, the Commissioner shall file a 83.VII.05 brief supporting the Commissioner's decision within forty (40) days of the

¹The Court has been advised by the Clerk's office that several attempts have been made to determine whether Plaintiff will be filing a brief, without success.

date of this order. The Court will then decide this case on the Record.

IT IS SO ORDERED.

s/ BRISTOW MERCHANT

Bristow Marchant

United States Magistrate Judge

Columbia, South Carolina

April 28 , 2005